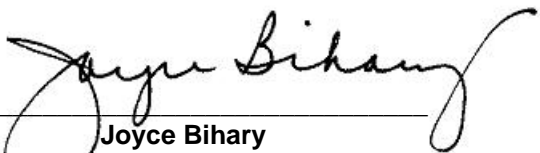




**IT IS ORDERED as set forth below:**

**Date: May 13, 2011**

  
Joyce Bihary  
U.S. Bankruptcy Court Chief Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:

CASE NO. 10-89687 - JB

RANDALL HAROLD LYONS,  
Debtor.

CHAPTER 13

U.S. BANK, N.A.,  
Movant.

v.

CONTESTED MATTER

RANDALL HAROLD LYONS,  
MARY IDA TOWNSON, ESQ., Trustee,  
Respondents.

**ORDER ON MOTION FOR RELIEF FROM STAY**

Movant filed a Motion for Relief from Stay March 7, 2011, together with a Notice of Hearing set for May 3, 2011 (Doc. No. 25), regarding Debtor's real estate located at 35 Fairview Commons Drive, Covington, GA 30016 (the "Property") and contends service was proper upon

the above-captioned Respondents. Respondents did not oppose Movant's Motion; accordingly, it is hereby

ORDERED that Movant's Motion for Relief from Stay is GRANTED: the automatic stay of 11 U.S.C. §362 (a) pertaining to the Property is modified to allow Movant to exercise its rights under the power of sale provisions contained in the Security Deed and as provided for by the laws of the State of Georgia including, but not limited to, advertising to effectuate a foreclosure sale at the earliest possible date and gaining possession of the Property; provided, however, that any proceeds resulting from the disposition of the Property in excess of the lawful claim of Movant under its Note and Security Deed and any excess funds due to a subordinate lienholder under state law shall be promptly remitted to the Trustee for the benefit of the Estate. The Trustee is to cease funding the pre-petition arrearage claim. It is further

ORDERED that the stay of Rule 4001(a)(3) is modified so that Movant may immediately proceed under this Order.

[END OF DOCUMENT]

**PRESENTED BY:**

By: /s/Anthony Maselli  
Anthony Maselli  
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115 Perimeter Center Place  
Atlanta, GA 30346  
770-392-0303  
amaselli@penderlaw.com  
Attorney for Movant  
Firm File Number: 10-11513

**NO OPPOSITION:**

By: /s/Sonya M. Buckley  
Attorney for the Chapter 13  
Trustee  
Mary Ida Townson, Esq.  
Georgia Bar No. 140987  
Signed by Anthony Maselli  
with Express permission  
Chapter 13 Trustee  
100 Peachtree St., NW  
Ste. 2700 Equitable Bldg.  
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404-525-1110  
Trustee

DISTRIBUTION LIST

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